

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

SOURCEPROSE CORPORATION

Plaintiff

VS.

THE FIRST AMERICAN CORPORATION, ET AL

Defendants

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CIVIL ACTION NO.
2-04CV-265

JURY DEMANDED JUDGE WARD

PLAINTIFF'S NOTICE OF ORDER

Plaintiff, SourceProse Corporation (“SourceProse”), files this Notice of Order and respectfully states as follows:

1. SourceProse would request that the Court take notice of an Order entered on November 17, 2004 by Judge Folsom in a patent infringement case pending in the Marshall Division of the Eastern District of Texas, *DataTreasury Corporation v. Small Value Payments Co.*, 2:04-CV-85-DF. The issue ruled on by Judge Folsom was whether venue and jurisdiction were proper over a defendant who alleged that it only infringed a patent, if at all, in a district other than this one. This Order is attached to this Notice as *Exhibit A*.

2. While not binding, Plaintiff would submit that this Order in *Exhibit A* is instructive on issues very similar to those raised in the present case by The First American Defendants, through their Motion to Dismiss and to Transfer, and the parties' subsequent Motions and briefing in response. SourceProse would respectfully request that this Court take notice of the Order in *Exhibit A* to the extent it is helpful in this matter.

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been served on the following by facsimile on this 2 day of December 2004 (unless otherwise indicated):

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EXHIBIT A